

Pro Se 2 (Rev. 12/16) Complaint and Request for Injunction

## UNITED STATES DISTRICT COURT RECEIVED

for the  
District of New Jersey

2023 NOV 30 A 11: 11

\_\_\_\_ Federal \_\_\_\_ Division

USDC FOR NJ

Ruth T. Mclean, Heirs et al.

Case No. \_\_\_\_\_

(to be filled in by the Clerk's Office)

## Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Aimee D Sumitra, dba PNC BANK, N.A.;  
Thomas W. Morris, dba PNC BANK, N.A., et al.  
Secretary of State, Ohio, Delaware, Pennsylvania  
Service of Process. PNC BANK, N.A.

## Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

## COMPLAINT AND REQUEST FOR INJUNCTION

## I. The Parties to This Complaint

## A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	Ruth T. Mclean, Heirs et al.
Street Address	12 Schalks Crossing Road, unit 137
City and County	Plainsboro, county
State and Zip Code	new jersey, [08536].
Telephone Number	609-606-2813
E-mail Address	retrmclean@gmail.com

## B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

## UNITED STATES DISTRICT COURT

for the  
District of New Jersey

RECEIVED

2023 NOV 30 A 11:11

USDC FOR NJ

c/o Ruth T. Mclean, Heirs et. al

Plaintiff

v.

PNC Bank N.A. et. al; SecOfState:OH,PA,DEL

Defendant

Civil Action No.

## WAIVER OF THE SERVICE OF SUMMONS

To: Ruth T. Mclean, Heirs, et. al;

(Name of the plaintiff's attorney or unrepresented plaintiff)

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

I also understand that I, or the entity I represent, must file and serve an answer or a motion under Rule 12 within 60 days from \_\_\_\_\_, the date when this request was sent (or 90 days if it was sent outside the United States). If I fail to do so, a default judgment will be entered against me or the entity I represent.

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature of the attorney or unrepresented party\_\_\_\_\_  
Printed name of party waiving service of summons\_\_\_\_\_  
Printed name\_\_\_\_\_  
Address\_\_\_\_\_  
E-mail address\_\_\_\_\_  
Telephone number

## Duty to Avoid Unnecessary Expenses of Serving a Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain defendants to cooperate in saving unnecessary expenses of serving a summons and complaint. A defendant who is located in the United States and who fails to return a signed waiver of service requested by a plaintiff located in the United States will be required to pay the expenses of service, unless the defendant shows good cause for the failure.

"Good cause" does *not* include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.

Pro Se 2 (Rev. 12/16) Complaint and Request for Injunction

## Defendant No. 1

Name	c/o: Aimee D Sumitra, dba PNC BANK, N.A
Job or Title <i>(if known)</i>	Bank Officer, authorized signer.
Street Address	3232 Newmark Drive.
City and County	Miamisburg
State and Zip Code	Ohio, 45342.
Telephone Number	215-627-1322
E-mail Address <i>(if known)</i>	NJFILINGS@KLMLAWGROUP.COM

## Defendant No. 2

Name	c/o Thomas Morris, dba PNC BANK N.A. et al.
Job or Title <i>(if known)</i>	Bank Officer.
Street Address	3232 Newmark Drive
City and County	Miamisburg
State and Zip Code	Ohio, 45342
Telephone Number	856-762-3400
E-mail Address <i>(if known)</i>	Reileyw@BALLARDSPA.H.COM

## Defendant No. 3

Name	Ohio Secretary of State, Attn:Paralegal Division Service-
Job or Title <i>(if known)</i>	Process of Service
Street Address	180 Civic Center Dr.
City and County	Columbus
State and Zip Code	Ohio, 45342
Telephone Number	
E-mail Address <i>(if known)</i>	

## Defendant No. 4

Name	PNC BANK, NATIONAL ASSOCIATION
Job or Title <i>(if known)</i>	
Street Address	3232 Newmark Drive
City and County	Miamisburg
State and Zip Code	Ohio, 45342
Telephone Number	215-627-1322
E-mail Address <i>(if known)</i>	NJFILINGS@KLMLAWGROUP.COM

## Defendant No. 1

Name	C/o: Almee D. Sumitra, dba PNC BANK, N.A. et al.
Job or Title <i>(if known)</i>	Bank Officer, authorized signer.
Street Address	3232 Newmark Drive.
City and County	Miamisburg
State and Zip Code	Ohio, 45342.
Telephone Number	215-627-1322
E-mail Address <i>(if known)</i>	NJFILINGS@KLMLAWGROUP.COM

## Defendant No. 2

Name	c/o Thomas Morris, dba PNC BANK N.A. et al.
Job or Title <i>(if known)</i>	Bank Officer.
Street Address	3232 Newmark Drive
City and County	Miamisburg
State and Zip Code	Ohio, 45342
Telephone Number	856-762-3400
E-mail Address <i>(if known)</i>	Reileyw@BALLARDSPA.H.COM

## Defendant No. 3

Name	Pa Secretary of The Commonwealth, SERVICE OF PROCESS
Job or Title <i>(if known)</i>	Service of Process
Street Address	401 North Street, Rm 302
City and County	Harrisburg
State and Zip Code	Pennsylvania, 17120
Telephone Number	
E-mail Address <i>(if known)</i>	

## Defendant No. 4

Name	Delaware Secretary of State, Service of Process
Job or Title <i>(if known)</i>	Division of Corporations,
Street Address	401 Federal Street, -- Suite 4
City and County	Dover,
State and Zip Code	Delaware, 19901.
Telephone Number	
E-mail Address <i>(if known)</i>	

**II. Basis for Jurisdiction**

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? *(check all that apply)*



Federal question



Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

**A. If the Basis for Jurisdiction Is a Federal Question**

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

Fair Housing Act section 837, section 245, 701, National Currency Act section et seq. 4th Amendment, Preamble to Constitution- Life, Liberty and pursuit of Happiness; Article for contracts.

**B. If the Basis for Jurisdiction Is Diversity of Citizenship**

## 1. The Plaintiff(s)

## a. If the plaintiff is an individual

The plaintiff, *(name)* \_\_\_\_\_, is a citizen of the State of *(name)* \_\_\_\_\_.

## b. If the plaintiff is a corporation

The plaintiff, *(name)* \_\_\_\_\_, is incorporated under the laws of the State of *(name)* \_\_\_\_\_, and has its principal place of business in the State of *(name)* \_\_\_\_\_.

*(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)*

## 2. The Defendant(s)

## a. If the defendant is an individual

The defendant, *(name)* \_\_\_\_\_, is a citizen of the State of *(name)* \_\_\_\_\_. Or is a citizen of *(foreign nation)* \_\_\_\_\_.

b. If the defendant is a corporation

The defendant, (name) PNC BANK, NATIONAL ASSOCIATION, is incorporated under the laws of the State of (name) Delaware, and has its principal place of business in the State of (name) Ohio.  
Or is incorporated under the laws of (foreign nation) \_\_\_\_\_,  
and has its principal place of business in (name) \_\_\_\_\_.

*(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)*

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because *(explain)*:

Mortgage claim of \$170,000 advance was to be consideration for me to convey the property; breach performance, missing receipt/invoices said advance transferred, mortgage is advance for home repairs upgrades improvement not for real property purchase.

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### III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the injunction or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

A. Where did the events giving rise to your claim(s) occur?

Location for claim New Jersey state, at the property located at 143 hampshire Drive, plainsboro, New Jersey.

B. What date and approximate time did the events giving rise to your claim(s) occur?

This event began around the year 2016, to present with filing of frivolous lawsuit by respondent at or around March, 2023.

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- C. What are the facts underlying your claim(s)? *(For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)*
- Fact: Property seized in demense as of fee by homeowner at 143Hampshire, County Notice of Settlement 10/26/2016 Bk#02381, Pg#0467 Gateway Mortgagee; Deed 11/9/2016, \$340,500 payoff Bk06913, Pg #0064; This contract govern by Federal law; PNC debt collector/servicer- unauthorized to foreclose; Gateway President "J. Kevin Stitt" signature endorsement payee on "Note", deems he received \$170,000 advance, meaning he obligated to pay; property convey without consideration; "Note" and Mortgage separated deems void per Carpenter v. Longan.
- Fact: Only Creditor can Foreclose, not the assign/servicer. 15 USC section 1692 et seq.
- 

#### IV. Irreparable Injury

Explain why monetary damages at a later time would not adequately compensate you for the injuries you sustained, are sustaining, or will sustain as a result of the events described above, or why such compensation could not be measured.

The above Respondents have conspired with others, MERS by and with collusion may have colored the Title to my property, when they illegally converted MERS to the mortgagee position, thusly conveying it to Gateway Mortgage Group, LLC.

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#### V. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

Damages sought for all the above factual claims posses actual prior court awarded damages:

Coloring Title:

Unlawful Note Negotiable Instrument Conversion:

Consumer Fraud:

Injunction against the State Court, MIDDLESEX COUNTY SUPERIOR COURT, CHANCERY DIVISION, SWF-F-003424-23, venue has no jurisdiction based on the contract. may cause harm under Rooker-Feldman Doctrine.

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**VI. Certification and Closing**

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

**A. For Parties Without an Attorney**

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 11/11/2023

~~Plaintiff~~ By: Ruth Esther Thompson McLean.  
 Printed ~~Plaintiff~~ By: RUTH ESTHER THOMPSON MCLEAN.  
ALL RIGHTS RESERVED

**B. For Attorneys**

Date of signing: \_\_\_\_\_

~~Plaintiff~~ By: Sur juris: Ruth Esther Thompson McLean.  
 Printed ~~Plaintiff~~ By: RUTH ESTHER THOMPSON MCLEAN.  
ALL RIGHTS RESERVED

Name of Law Firm—TRUST 2 Lions Group TRUST  
 Street Address P. O. Box 137  
 State and Zip Code PLAINSBORO, New Jersey 08536  
 Telephone Number 609 606 2813  
 E-mail Address RETMCLEAN@GMAIL.COM



## CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

## I. (a) PLAINTIFFS

c/o Ruth T Mclean, Heirs et.al

(b) County of Residence of First Listed Plaintiff AMERICA  
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

c/o 2lions Group Trust, P.O Box 137  
Plainsboro New Jersey [08537]

## DEFENDANTS

c/oAimeeD.SumitraDBA PNC N.A.;c/oThomasW.MorrisDBA  
PNCBank N.A.;PNC Bank N.A et.al;SecOfState:OH,PA,DECounty of Residence of First Listed Defendant AMERICA  
(IN U.S. PLAINTIFF CASES ONLY)NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF  
THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

Richard P. Abel, 701Market St,#5000,Philadelphia, PA 19106  
William P. Reiley, 700 E.Gate Dr.#330,Mt.Laurel,NJ 08054

## II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff ☒ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

## III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- |   | PTF                                   | DEF                                   |   | PTF                        | DEF                        |
|---|---------------------------------------|---------------------------------------|---|----------------------------|----------------------------|
| Citizen of This State                   | <input checked="" type="checkbox"/> 1 | <input type="checkbox"/> 1            | Incorporated or Principal Place of Business In This State     | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State                | <input type="checkbox"/> 2            | <input checked="" type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3            | <input type="checkbox"/> 3            | Foreign Nation  | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

## IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: Nature of Suit Code Descriptions.

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input checked="" type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice <b>PERSONAL INJURY</b> <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other <b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act <b>IMMIGRATION</b> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>INTELLECTUAL PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark <input type="checkbox"/> 880 Defend Trade Secrets Act of 2016 <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit (15 USC 1681 or 1692) <input type="checkbox"/> 485 Telephone Consumer Protection Act <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
<b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>CIVIL RIGHTS</b> <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education <b>PRISONER PETITIONS</b> <b>Habeas Corpus:</b> <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <b>Other:</b> <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

## V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from Another District (specify) ☐ 6 Multidistrict Litigation - Transfer ☐ 8 Multidistrict Litigation - Direct File

## VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

UCC3;15USC1635;1640(a);AntiMoneyLaunderingAct;NJFairForeclosureAct;FDCA;NationalCurrencyAct;HomeownersLoanAct;NJLoanServicerAct

Brief description of cause:

Breach of contract, unauthorized use of "Note"/check/draft negotiable instrument

Right to Housing; Fair Housing Act;  
4th Amendment

## VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

1,597,500+REFUND

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No

## VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE RECUSED PROCESS - NEW JUDGE UNKNOWN DOCKET NUMBER SWF-F-003424-23

DATE

11-11-2023

SIGNATURE OF ATTORNEY OF RECORD

By sui juris:

Ruth Esther Thompson McLean.  
All Rights Reserved

FOR OFFICE USE ONLY

RECEIPT # \_\_\_\_\_ AMOUNT \_\_\_\_\_ APPLYING IFP \_\_\_\_\_ JUDGE \_\_\_\_\_ MAG. JUDGE \_\_\_\_\_

## UNITED STATES DISTRICT COURT

for the

District of New Jersey

Federal Division

RECEIVED

2023 NOV 30 A 11: 11

USDC FOR NJ

c/o Ruth T Mclean, Heirs et.al

Case No.

(to be filled in by the Clerk's Office)

## Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

c/o Aimee D. Sumitra DBA PNC Bank N.A.; c/o Thomas W. Morris DBA PNC Bank N.A.; PNC Bank N.A et. al; Secretary Of State: Ohio, Delaware, Pennsylvania

## Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

**COMPLAINT TO REQUIRE PERFORMANCE  
OF A CONTRACT TO CONVEY REAL PROPERTY**  
(28 U.S.C. § 1332; Diversity of Citizenship)

**I. The Parties to This Complaint****A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	c/o Ruth T. Mclean, Heirs et. al
Street Address	P.O. Box 137
City and County	Plainsboro County
State and Zip Code	New Jersey, [08536]
Telephone Number	609 606 2813
E-mail Address	retmclean@gmail.com

**B. The Defendant(s)**

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

## Defendant No. 1

Name	c/o Aimee D. Sumitra DBA PNC Bank N.A. et. al
Job or Title <i>(if known)</i>	Bank Authorized Signer
Street Address	3232 Newmark Drive
City and County	Miamisburg
State and Zip Code	OHIO, 45342
Telephone Number	215-627-1322
E-mail Address <i>(if known)</i>	NJFILINGS@KLMLAWGROUP.COM

## Defendant No. 2

Name	c/o Thomas Morris DBA PNC Bank N.A. et. al
Job or Title <i>(if known)</i>	Bank Officer
Street Address	3232 Newmark Drive
City and County	Miamisburg
State and Zip Code	OHIO, 45342
Telephone Number	856-761-3400
E-mail Address <i>(if known)</i>	REILEYW@BALARDSPAHR.COM

## Defendant No. 3

Name	PNC Bank National Association
Job or Title <i>(if known)</i>	Bank
Street Address	3232 Newmark Drive
City and County	Miamisburg
State and Zip Code	OHIO, 45342
Telephone Number	215-627-1322
E-mail Address <i>(if known)</i>	NJFILINGS@KLMLAWGROUP.COM

## Defendant No. 4

Name	Ohio Secretary of State
Job or Title <i>(if known)</i>	Paralegal Division Service of Process
Street Address	180 Civic Center Dr.
City and County	Columbus
State and Zip Code	Ohio, 43215
Telephone Number	
E-mail Address <i>(if known)</i>	

## Defendant No. 5

Name	Delaware Secretary of State
Job or Title <i>(if known)</i>	Service Process, Division of Corporation
Street Address	401 Federal Street- Suite 4
City and County	Dover
State and Zip Code	Delaware, 19901
Telephone Number	215-627-1322
E-mail Address <i>(if known)</i>	

## Defendant No. 6

Name	Pennsylvania Secretary Of State
Job or Title <i>(if known)</i>	Process Service
Street Address	401 North Street, RM 302
City and County	Harrisburg
State and Zip Code	Pennsylvania
Telephone Number	
E-mail Address <i>(if known)</i>	

## Defendant No. 3

Name	
Job or Title <i>(if known)</i>	
Street Address	
City and County	
State and Zip Code	
Telephone Number	
E-mail Address <i>(if known)</i>	

## Defendant No. 4

Name	
Job or Title <i>(if known)</i>	
Street Address	
City and County	
State and Zip Code	
Telephone Number	
E-mail Address <i>(if known)</i>	

**II. Basis for Jurisdiction**

Federal courts are courts of limited jurisdiction (limited power). Under 28 U.S.C. § 1332, federal courts may hear cases in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000. In that kind of case, called a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff. Explain how these jurisdictional requirements have been met.

**A. The Plaintiff(s)**

1. If the plaintiff is an individual

The plaintiff, (name) c/o Ruth T. Mclean, Heirs et. al, is a citizen of the  
State of (name) "New Jersey state Citizen".

2. If the plaintiff is a corporation

The plaintiff, (name) \_\_\_\_\_, is incorporated  
under the laws of the State of (name) \_\_\_\_\_, and  
has its principal place of business in the State of (name) \_\_\_\_\_.

*(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)*

**B. The Defendant(s)**

1. If the defendant is an individual

The defendant, (name) c/o Aimee D. Sumitra DBA PNC Bank N.A et. al, is a citizen of the  
State of (name) OHIO. Or is a citizen of (foreign nation)  
\_\_\_\_\_.

2. If the defendant is a corporation

The defendant, (name) \_\_\_\_\_, is incorporated under  
the laws of the State of (name) \_\_\_\_\_, and has its principal  
place of business in the State of (name) \_\_\_\_\_.  
Or is incorporated under the laws of (foreign nation) \_\_\_\_\_,  
and has its principal place of business in (name) \_\_\_\_\_.

*(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)*

**II. Basis for Jurisdiction**

Federal courts are courts of limited jurisdiction (limited power). Under 28 U.S.C. § 1332, federal courts may hear cases in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000. In that kind of case, called a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff. Explain how these jurisdictional requirements have been met.

**A. The Plaintiff(s)**

1. If the plaintiff is an individual

The plaintiff, (name) \_\_\_\_\_, is a citizen of the State of (name) \_\_\_\_\_.

2. If the plaintiff is a corporation

The plaintiff, (name) \_\_\_\_\_, is incorporated under the laws of the State of (name) \_\_\_\_\_, and has its principal place of business in the State of (name) \_\_\_\_\_.

*(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)*

**B. C. The Defendant(s)**

1. If the defendant is an individual

The defendant, (name) c/o Thomas W Morris DBA PNC Bank N.A. et.al, is a citizen of the State of (name) OHIO. Or is a citizen of (foreign nation) \_\_\_\_\_.

2. If the defendant is a corporation

The defendant, (name) \_\_\_\_\_, is incorporated under the laws of the State of (name) \_\_\_\_\_, and has its principal place of business in the State of (name) \_\_\_\_\_.

Or is incorporated under the laws of (foreign nation) \_\_\_\_\_, and has its principal place of business in (name) \_\_\_\_\_.

*(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)*

**II. Basis for Jurisdiction**

Federal courts are courts of limited jurisdiction (limited power). Under 28 U.S.C. § 1332, federal courts may hear cases in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000. In that kind of case, called a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff. Explain how these jurisdictional requirements have been met.

**A. The Plaintiff(s)**

1. If the plaintiff is an individual

The plaintiff, (name) \_\_\_\_\_, is a citizen of the State of (name) \_\_\_\_\_.

2. If the plaintiff is a corporation

The plaintiff, (name) \_\_\_\_\_, is incorporated under the laws of the State of (name) \_\_\_\_\_, and has its principal place of business in the State of (name) \_\_\_\_\_.

*(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)*

**B. The Defendant(s)**

1. If the defendant is an individual

The defendant, (name) \_\_\_\_\_, is a citizen of the State of (name) \_\_\_\_\_. Or is a citizen of (foreign nation) \_\_\_\_\_.

2. If the defendant is a corporation

The defendant, (name) PNC Bank National Association et.al, is incorporated under the laws of the State of (name) Delaware, and has its principal place of business in the State of (name) OHIO.  
Or is incorporated under the laws of (foreign nation) \_\_\_\_\_,  
and has its principal place of business in (name) \_\_\_\_\_.

*(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)*

**II. Basis for Jurisdiction**

Federal courts are courts of limited jurisdiction (limited power). Under 28 U.S.C. § 1332, federal courts may hear cases in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000. In that kind of case, called a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff. Explain how these jurisdictional requirements have been met.

**A. The Plaintiff(s)**

1. If the plaintiff is an individual

The plaintiff, (name) \_\_\_\_\_, is a citizen of the  
State of (name) \_\_\_\_\_.

2. If the plaintiff is a corporation

The plaintiff, (name) \_\_\_\_\_, is incorporated  
under the laws of the State of (name) \_\_\_\_\_, and  
has its principal place of business in the State of (name) \_\_\_\_\_.

*(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)*

**B. The Defendant(s)**

1. If the defendant is an individual

The defendant, (name) \_\_\_\_\_, is a citizen of the  
State of (name) \_\_\_\_\_. Or is a citizen of (foreign nation)  
\_\_\_\_\_.

2. If the defendant is a corporation

The defendant, (name) OhioSecretaryOfState,ParalegalDiv,SerProcess, is incorporated under  
the laws of the State of (name) OHIO, and has its principal  
place of business in the State of (name) Miamisburg.  
Or is incorporated under the laws of (foreign nation) \_\_\_\_\_,  
and has its principal place of business in (name) \_\_\_\_\_.

*(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)*



**II. Basis for Jurisdiction**

Federal courts are courts of limited jurisdiction (limited power). Under 28 U.S.C. § 1332, federal courts may hear cases in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000. In that kind of case, called a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff. Explain how these jurisdictional requirements have been met.

**A. The Plaintiff(s)**

1. If the plaintiff is an individual

The plaintiff, (name) \_\_\_\_\_, is a citizen of the  
State of (name) \_\_\_\_\_.

2. If the plaintiff is a corporation

The plaintiff, (name) \_\_\_\_\_, is incorporated  
under the laws of the State of (name) \_\_\_\_\_, and  
has its principal place of business in the State of (name) \_\_\_\_\_.

*(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)*

**B. The Defendant(s)**

1. If the defendant is an individual

The defendant, (name) \_\_\_\_\_, is a citizen of the  
State of (name) \_\_\_\_\_. Or is a citizen of (foreign nation)  
\_\_\_\_\_.

2. If the defendant is a corporation

The defendant, (name) Delaware Secretary of State, is incorporated under  
the laws of the State of (name) Delaware, and has its principal  
place of business in the State of (name) Delaware.  
Or is incorporated under the laws of (foreign nation) \_\_\_\_\_,  
and has its principal place of business in (name) \_\_\_\_\_.

*(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)*

**II. Basis for Jurisdiction**

Federal courts are courts of limited jurisdiction (limited power). Under 28 U.S.C. § 1332, federal courts may hear cases in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000. In that kind of case, called a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff. Explain how these jurisdictional requirements have been met.

**A. The Plaintiff(s)**

1. If the plaintiff is an individual

The plaintiff, (name) \_\_\_\_\_, is a citizen of the  
State of (name) \_\_\_\_\_.

2. If the plaintiff is a corporation

The plaintiff, (name) \_\_\_\_\_, is incorporated  
under the laws of the State of (name) \_\_\_\_\_, and  
has its principal place of business in the State of (name) \_\_\_\_\_.

*(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)*

**B. The Defendant(s)**

1. If the defendant is an individual

The defendant, (name) \_\_\_\_\_, is a citizen of the  
State of (name) \_\_\_\_\_. Or is a citizen of (foreign nation)  
\_\_\_\_\_.

2. If the defendant is a corporation

The defendant, (name) Pennsylvania Secretary of State, is incorporated under  
the laws of the State of (name) Pennsylvania, and has its principal  
place of business in the State of (name) Pennsylvania.  
Or is incorporated under the laws of (foreign nation) \_\_\_\_\_,  
and has its principal place of business in (name) \_\_\_\_\_.

*(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)*

**C. The Amount in Controversy**

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because (*explain*):

Mortgage claim of \$170,000 advance was to be consideration for me to convey the property; breach performance, missing receipt/invoices said advance transferred, mortgage is advance for home repairs upgrades improvement not for real property purchase.

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**III. Statement of Claim**

- A. Describe the real property owned by the defendant(s) that is the subject of this complaint. Include the address or location of the property.

Property seized in demense as of fee by homeowner at 143Hampshire, County Notice of Settlement 10/26/2016 Bk#02381, Pg#0467 Gateway Mortgagee; Deed 11/9/2016, \$340,500 payoff Bk06913, Pg#0064; Contracts govern by Federal law; PNC debt collector unauthorized to foreclose; Gateway President "J. Kevin Stitt" signature endorsement payee on "Note", deems he received \$170,000 advance, meaning he obligated to pay; property convey without consideration; "Note" and Mortgage separated deems void Carpenter v. Longan.

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- B. Describe the terms of the contract you entered into with the defendant(s) to purchase the real property at issue. Attach the contract as an exhibit.

1. When did you enter into the contract with the defendant(s)?

Alleged contract, November 21, 2016, "Note and Mortgage" with Gateway Mortgage LLC

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2. What is the purchase price you agreed to pay?

Mortgage not used to purchase real property, misleading its home improvement advance \$170,000

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3. Describe your obligations under the contract. Include any terms regarding required deposits.

No obligation exist to repay \$170,000 home upgrade "loan" where missing advance for consideration; misleading property conveyance to Gateway/PNC for mortgage, believed transaction to purchase real property not upgrade/repairs. I funded \$170,000 deposit out of \$340,500 balance. New evidence show a "Note" converted to asset/check/negotiable instrument settled balance. Non-disclosure/consent convert "Note" with the words "Pay to the Order of J. Keven Stitt" payee endorser

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4. Describe the defendant(s)' obligations under the contract, including the obligation to convey the real property at issue.

Contracts govern by Federal law yet PNC attempts to circumvent to obtain judgment in State venue; Assignment Servicer unauthorized to foreclose; "Note" converted to Negotiable Instrument check draft deposit with the words "Pay to the ORDER of J. Kevin Stitt" endorsement payee obligated to pay; Mortgage a lien to secure advance for home improvement repairs not real property purchase, transaction receipts/repair invoices missing deems property convey without consideration; "Note" payee Gateway and Mortgage owned by FreddieMac meaning instruments separated deems void

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- C. Describe when and how you complied with, or attempted to comply with, all of your obligations under the contract, including payment of the purchase price. If you have not complied with all of your obligations under the contract, explain how you are ready and able to comply with those obligations. Plaintiff mislead via T/D/C pay beginning 12/2016 and held by 6/2022 until remedy demands for debt validation. Requests refused to provide a receipt of \$170,000 advance on my behalf for said "loan"; fail to provide holder of original "Note, Mortgage" via certified authenticated copies with notary name/seal; Per the Fair Foreclosure Act, only the original Creditor/Lender can foreclosure, PNC falsely claiming original Lender status.
- 
- D. Describe when and how you requested that the defendant(s) convey the real property at issue and when and how the defendant(s) refused to do so. Attach copies of any correspondence with the defendant(s). Demands for proof of claim debt validation and cease and desist sent remove mortgage lien, with request for disclosure that PNC holder of the original "Note and Mortgage" and receipts for \$170,000 advance funding for property conveyance for "loan". Request for money transaction receipts per Anti-Money Laundering Act.; National Currency Act. Request for disclosure was sent via Affidavits; court action for disclosure; CFPB reports, and Truth in Lending Act Rescission Notice. See attached.
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#### IV. Relief

What is your requested form of relief? *(check all that apply)*



Specific performance of the contract. *(Explain why specific performance is the only adequate remedy and why damages would not suffice.)*

Enforce litigants/Borrower's rights governing Federal jurisdiction under Section 16 because Defendant file foreclosure in NJ State venue seeking a judgment to circumvent the contract. Therefore Borrower Order: (1). An injunction to immediately cease State court venue litigation; (2).PNC provide authority holder the authenticated original "Note,Mortgage" with notary name seal; (3).Use \$170,000 "Note" funds paid to "J. Kevin Stitt" signer/payee obligation to pay full amount owed section 8;(4).Terminate/discontinue contract after foreclosure initiated section 19 and 22; (5). Enforce section 11 Miscellaneous proceeds pay sums, return to Borrower unused for repairs.

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Damages sustained as a result of the defendant(s)' refusal to comply with the contract. *(Describe the damages you are requesting.)*

For financial harm consideration payments I made; for conveying real property not knowing for home repairs mortgage lien;threaten right to housing; for identity theft the unauthorized check/draft processed without POA/consent/contract to attach allonge after closing to convert "Note" into check/draft negotiable instrument to pay \$170,000 advance to Gateway President with the words "PAY TO THE ORDER OF: J. Kevin Stitt" payee endorser signature; for "Note" deem asset payment separated from Mortgage debt given to FreddieMac; for third-party "debt collector" PNC initiating adverse property and dispute in State not Federal venue per contract terms.

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If specific performance cannot be granted, damages in the amount of \$ 1,597,500.00 + REFUND.

*(Describe the damages you are requesting.)*

Damages for inducement to fraud, void contract where "Note and Mortgage separated, refund all consideration Plaintiff paid plus payment triple property value as per Zillow.com \$532,500 at \$1,597,500.



Other relief.

Remove property mortgage lien; Convey/Grant Quiet title to Borrower/Plaintiff.

## V. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

### A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 11/11/2023

~~Plaintiff~~ Plaintiff

By supra: Ruth Esther Thompson Mclean.

Printed Name of Plaintiff

Ruth E Thompson Mclean

All Rights Reserved.

### B. For Attorneys

Date of signing: \_\_\_\_\_

Pro Se 9 (Rev. 12/16) Complaint to Require Performance of a Contract to Convey Real Property

~~Signature~~ By Sur furs: Ruth Esther Thompson McLean.  
Printed ~~Name~~ Ruth Esther Thompson McLEAN  
~~Signature~~  
~~Name~~ Trust c/o Q Lions Group Trust  
Street Address P.O Box 137  
State and Zip Code Plainsboro, New Jersey[08536]  
Telephone Number 609 606 2813  
E-mail Address retmclean@gmail.com